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FAX COVER SHEET

Date: May 5, 2008
To: Examiner Bernard Krasnic
USPTO
Fax No: (571) 270-2357 and (571) 273-8300
From: Aaron T. Borrowman
Re: U.S. Patent Application No. 10/728,441
Filed: December 5, 2003
Inventors: Susan Levin et al.
Our Docket No. K1C2-44500

Documents: Proposed Claims for Discussion During Telephonic Interview on Thursday, May 8, 2008 at 12:00 p.m.

Number of pages being sent, including cover sheet: 10

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2624
Susan Levin et al.) Examiner: Bernard Krasnic
Serial No. 10/728,441)
Filed: December 5, 2003) Docket No. K1C2-44500
For: SYSTEM AND PROCESS FOR)
IDENTIFYING, CHOOSING)
AND MATCHING COLORS)
)
)
)
)

PROPOSED CLAIMS FOR DISCUSSION
DURING TELEPHONIC INTERVIEW

As discussed with the Examiner in a prior telephone conversation, applicants, through their attorney, have prepared a draft/proposed set of claims which they desire to discuss with the Examiner and his supervisor during the May 8, 2008 telephone conference in relation to the cited references and current rejections. These claims are proposed, and are not intended to be considered part of a formal written response at this time.

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

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Cancel claims 9, 12-14, 17, 25, 26 and 28-33;

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Amend claims 1-3, 8 and 11; and

Add claims 34-52.

Listing of Claims:

1. (Currently amended) A method for creating a color matching and coordinating reference system for use by manufacturers and consumers of products goods, comprising the steps of:

establishing a governing body;

manufacturers submitting color products or color product samples to the governing body to be assigned an identification code corresponding to each color of the product or product sample, and to obtain approval to use the governing body's one or more assigned identification codes in association with the product;

the governing body assigning a unique an identification code for each color of the product or product sample of a plurality of colors, the identification code comprising color family indicia and color value indicia, and granting approval to the manufacturer to use the one or more assigned identification codes in association with the product;

the manufacturers associating the one or more assigned identification codes with the manufactured products; and

consumers of the manufacturers' products utilizing the one or more identification codes to match and coordinate colors of different products.

~~matching a sample color and harmonious color combinations of the sample color to one of the assigned identification codes; and~~

~~labeling two or more goods individually with one of the assigned identification codes representing a color match with a color of each individual good, such that a consumer can match the identification codes of the goods to the identification codes of the sample color and harmonious color combinations.~~

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2. (Currently Amended) The method of claim 27 4, wherein the color family indicia is selected from a list consisting of: red, red/orange, orange, yellow/orange, yellow, yellow/green, green, blue/green, blue, blue/violet, violet, and red/violet.

3. (Currently Amended) The method of claim 27 4, wherein the color value indicia is a number.

4. (Original) The method of claim 3, wherein the color value indicia for each color of the plurality of colors is between 0 and 8.

5.-7. (Canceled)

8. (Currently Amended) The method of claim 27 6, wherein the identification code for each color classification of the plurality of colors further comprises a color selector device indicia corresponding to a color selector device which displays that color.

9. (Canceled)

10. (Original) The method of claim 1, including the step of assigning a unique color name to each identification code.

11. (Currently Amended) The method of claim 10, including the step of cross-referencing matching and coordinating colors using a table listing at least a portion of the plurality of colors according to each color's identification code or assigned color name.

12.-26. (Canceled)

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27. (Previously presented) The method of claim 1, wherein the assigning a unique identification code step includes the step of assigning an alpha-numeric identification comprising indicia for a color classification, the color family, and the color value.

28.-33. (Canceled)

34. (New) The method of claim 1, including the step of the manufacturers further associating indicia with the products representing that the governing body has assigned and approved the one or more identification codes corresponding to the one or more colors of the products.

35. (New) The method of claim 1, including the steps of the governing body pre-assigning an identification code to each of a plurality of colors, and comparing and matching the one or more colors of the product or product sample submitted by the manufacturer to the plurality of colors and assigning the one or more colors of the product or product sample a pre-assigned identification code corresponding to the matching color of the plurality of colors.

36. (New) The method of claim 1, wherein the associating step includes the step of attaching a label including the one or more identification codes assigned to the one or more colors of the product to the product or product packaging so as to be referenced by a consumer of the product.

37. (New) The method of claim 8, including the step of the governing body providing a plurality of color selector devices, each color selector device displaying a plurality of colors, and each color labeled with a pre-assigned identification code including indicia representing the color selector device or color classification, the color

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family, and the color value, wherein consumers can match or coordinate colors of products not using identification codes assigned by the governing body with products having identification codes assigned by the governing body.

38. (New) A method for creating a color matching and coordinating reference system for use by manufacturers and consumers of products, comprising the steps of:

establishing a governing body;

the governing body pre-assigning an identification code and a corresponding name to each of a plurality of colors, wherein the identification code comprises an alpha-numeric identification including indicia for a color classification, a color family, and a color value;

manufacturers submitting color products or color product samples to the governing body to be assigned one or more identification codes and names corresponding with the one or more colors of the product or product sample, and to obtain approval to use the governing body's assigned identification codes or names in association with the product;

the governing body comparing and matching the one or more colors of the product or product sample submitted by the manufacturers to the plurality of colors and assigning each of the one or more colors of the product or product sample a pre-assigned identification code corresponding to the matching color of the plurality of colors;

the governing body granting approval to the manufacturer to use the one or more identification codes or names in association with the product;

the manufacturers associating the assigned one or more color names or identification codes with the manufactured products; and

consumers of the manufacturers' products utilizing the assigned one or more color names or identification codes to match and coordinate colors of different products.

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39. (New) The method of claim 38, wherein the color family indicia is selected from a list consisting of: red, red/orange, orange, yellow/orange, yellow, yellow/green, green, blue/green, blue, blue/violet, violet, and red/violet.

40. (New) The method of claim 39, wherein the color value indicia is a number.

41. (New) The method of claim 40, wherein the color value indicia for each color of the plurality of colors is a number between 0 and 8.

42. (New) The method of claim 38, wherein the identification code for each color classification comprises a color selector device indicia corresponding to a color selector device which displays that color.

43. (New) The method of claim 38, including the step of cross-referencing matching and coordinating colors using a table listing at least a portion of the plurality of colors according to each color's identification code or assigned color name.

44. (New) The method of claim 38, including the step of the manufacturers further associating indicia with the products representing that the governing body has assigned and approved the one or more identification code corresponding to the one or more colors of the products.

45. (New) The method of claim 38, wherein the associating step includes the step of attaching a label to the product or product packaging including the one or more identification codes assigned to the one or more colors of the product so as to be referenced by a consumer of the product.

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46. (New) The method of claim 42, including the step of the governing body providing a plurality of color selector devices, each color selector device displaying a plurality of colors, and each color labeled with a pre-assigned identification code including indicia representing the color selector device or color classification, the color family, and the color value, wherein consumers can match or coordinate colors of products not using identification codes assigned by the governing body with products having identification codes assigned by the governing body.

47. (New) A method for creating a color matching and coordinating reference system for use by manufacturers and consumers of products, comprising the steps of:

establishing a governing body;

the governing body pre-assigning an identification code and a corresponding name to each of a plurality of colors, wherein the identification code comprises an alpha-numeric identification including indicia for a color classification, a color family, and a color value;

manufacturers submitting color products or color product samples to the governing body to be assigned one or more identification codes or names corresponding with the one or more colors of the product or product sample, and to obtain approval to use the governing body's assigned identification codes or names in association with the product;

the governing body comparing and matching the one or more colors of the product or product sample submitted by the manufacturers to the plurality of colors and assigning the one or more colors of the product or product sample a pre-assigned identification code or name corresponding to the matching color of the plurality of colors;

the governing body granting approval to the manufacturer to use the assigned one or more identification codes or names in association with the product;

the manufacturers attaching a label to the product or product packaging, the label including the assigned one or more color names or identification codes

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corresponding with the one or more colors of the manufactured products, and indicia representing that the one or more color names or identification codes on the label has been approved by the governing body;

consumers of the manufacturers' products utilizing the one or more color names or the identification codes to match and coordinate colors of different products; and

the governing body providing a plurality of color selector devices, each color selector device displaying a plurality of colors, and each color labeled with a pre-assigned identification code including indicia representing the color selector device or color classification, the color family, and the color value, wherein consumers can match or coordinate colors of products not using identification codes assigned by the governing body with products having identification codes assigned by the governing body.

48. (New) The method of claim 47, wherein the color family indicia is selected from a list consisting of: red, red/orange, orange, yellow/orange, yellow, yellow/green, green, blue/green, blue, blue/violet, violet, and red/violet.

49. (New) The method of claim 47, wherein the color value indicia is a number.

50. (New) The method of claim 49, wherein the color value indicia for each color of the plurality of colors is a number between 0 and 8.

51. (New) The method of claim 47, wherein the identification code for each color classification comprises a color selector device indicia corresponding to a color selector device which displays that color.

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52. (New) The method of claim 47, including the step of cross-referencing matching and coordinating colors using a table listing at least a portion of the plurality of colors according to each color's identification code or assigned color name.

Dated: May 5, 2008

KELLY LOWRY & KELLEY, LLP

/Aaron T. Borrowman/
By: _____
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